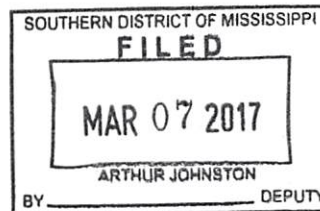


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:17CR18LG-JCG

DESTANEE MORGAN and
ERIC SPIKES

18 U.S.C. § 371
18 U.S.C. § 1029(a)(1)
18 U.S.C. § 1029(a)(3)
18 U.S.C. § 1028(a)(7)

The Grand Jury charges:

COUNT 1

1. On or about November 6, 2016, and continuing until the date of this indictment, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **DESTANEE MORGAN** and **ERIC SPIKES**, aided and abetted by others known and unknown to the Grand Jury, did knowingly and willfully conspire with each other and with others known and unknown to the Grand Jury to commit offenses against the United States, as follows:

- a. to knowingly and with intent to defraud produce, use, or traffic in one more counterfeit access devices, as prohibited by Section 1029(a)(1), Title 18, United States Code;
- b. to knowingly and with intent to defraud possess 15 or more counterfeit or unauthorized access devices, as prohibited by Section 1029(a)(3), Title 18, United States Code.
- c. to knowingly transfer, possess, or use, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet an unlawful activity that constitutes a violation of federal law, in violation of Section 1028(a)(7), Title 18, United States Code.

The Purpose of the Conspiracy

2. The purpose of the conspiracy was to unjustly enrich the defendants by fraudulently using false identification documents in conjunction with unauthorized access devices to obtain cash and other items of monetary value.

3. It was further a part of the conspiracy that the conspirators would conceal, misrepresent and hide the existence, purpose and acts done in furtherance of the conspiracy.

Manner and Means

4. To accomplish this objective, the defendants and others known and unknown to the Grand Jury, employed the following manner and means, among others:

a. The defendants obtained credit and debit card account numbers via the Internet and otherwise from persons known and unknown to the Grand Jury.

b. The defendants, without the true account holder's knowledge or consent, downloaded the cardholders' track data—the information found on the magnetic stripes of credit and debit cards that is read by ATMs and credit card readers—including credit and debit card account numbers; and

c. The defendants, using access device making equipment, re-encoded and caused to be re-encoded the fraudulently obtained card holders' track data onto the tracks of the magnetic stripes credit, debit and gift cards, thereby creating counterfeit credit, debit and gift cards.

d. The defendants used the counterfeit credit, debit and gift cards to purchase consumer items and money orders.

Overt Acts

5. In furtherance of this conspiracy and to effect its objects, the defendants and others, in Harrison County, in the Southern Division of the Southern District of Mississippi, and elsewhere, committed, among others, the following overt acts:

a. On or about November 6, 2016, defendant **DESTANEE MORGAN** used identification belonging to E.E. to rent a car.

b. On or about November 8, 2016, defendant **DESTANEE MORGAN** presented a credit/debit card ending in 1881 to make a purchase.

c. On or about November 8, 2016, defendant **DESTANEE MORGAN** presented a credit/debit card ending in 9175 to make a purchase.

d. On or about November 11, 2016, defendant **DESTANEE MORGAN** attempted to use a credit/debit card ending in 3784 to make a purchase, but the transaction was denied.

e. On or about November 14, 2016, defendant **ERIC SPIKES** used credit/debit cards to send money to Africa.

f. On or about November 14, 2016, defendant **ERIC SPIKES** drove a rental car containing access devices.

g. On or about November 14, 2016, defendant **ERIC SPIKES** carried more than one false access device in his wallet.

All in violation of Section 371, Title 18, United States Code.

COUNT 2

On or about November 14, 2016, in Harrison County, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **DESTANEE MORGAN** and

ERIC SPIKES, aided and abetted by others known and unknown to the Grand Jury, did knowingly and with intent to defraud, possess, in and affecting interstate and foreign commerce, fifteen or more access devices, which were either counterfeit or unauthorized access devices which are more fully set out as follows:

#	Company	Last 4 Digits of Account
1	Keesler Federal Credit Union	6760
2	Bancorp South	5950
3	Bancorp South	4947
4	Bancorp South	1973
5	Bancorp South	1035
6	Bancorp South	4565
7	Bancorp South	3865
8	Bancorp South	3784
9	Bancorp South	8617
10	Bancorp South	6394
11	Bancorp South	7184
12	Bancorp South	6898
13	Bancorp South	7431
14	Money Access	4068
15	US Bank (Fifth Third Bank)	1966
16	US Bank (Fifth Third Bank)	5485
17	US Bank (Fifth Third Bank)	4337
18	US Bank (Fifth Third Bank)	7776
19	US Bank (Fifth Third Bank)	8848
20	US Bank (Fifth Third Bank)	8480
21	US Bank (Fifth Third Bank)	0920

22	US Bank (Fifth Third Bank)	8447
23	US Bank (Fifth Third Bank)	4216
24	US Bank (Fifth Third Bank)	3301
25	US Bank (Fifth Third Bank)	4142
26	US Bank (Fifth Third Bank)	6999
27	US Bank (Fifth Third Bank)	0386
28	Fifth Third Bank	4244
29	First Southern Bank (US Bank)	0495
30	JP Morgan Chase	5280
31	JP Morgan Chase	4638
32	Meta Bank	1942
33	Camp Shelby Credit	9186
34	Bank of Boston	4153
35	Magnolia Bank	9900
36	USAA Bank	2123
37	Wells Fargo	7766
38	Citizens Bank	3656
39	Regions Bank	3294
40	Regions Bank	6152
41	Citi Bank	6118
42	Woodforest National Bank	2801
43	Woodforest National Bank	9820
44	Bank of America	3005
45	Bank of America	3331
46	Bank of America	4282
47	Trustmark Bank	1881
48	Trustmark Bank	2364
49	Capital One	2777
50	Capital One	6795
51	Capital One	8921
52	Comerica Bank	7668
53	Comerica Bank	2973
54	Comerica Bank	2915
55	Comerica Bank	7846

56	Comerica Bank	1533
57	Comerica Bank	6938
58	Comerica Bank	6762

All in violation of Sections 1029(a)(3), 1029(c)(1)(A)(i) and 2, Title 18, United States Code.

COUNT 3

On or about November 6, 2016, in the Southern Division of the Southern District of Mississippi and elsewhere, the defendants, **DESTANEE MORGAN** and **ERIC SPIKES**, aided and abetted by one another, did knowingly transfer, possess, or use, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet an unlawful activity that constitutes a violation of federal law.

All in violation of Sections 1028(a)(7) and 2, Title 18, United States Code.


NOTICE OF FORFEITURE

As a result of committing the offenses as alleged in this Indictment, the defendants, **DESTANEE MORGAN** and **ERIC SPIKES**, shall forfeit to the United States all property involved in or traceable to property involved in the offenses, including but not limited to all proceeds obtained directly or indirectly from the offenses, and all property used to facilitate the offenses.

Further, if any property described above, as a result of any act or omission of the defendant: a) cannot be located upon exercise of due diligence; b) has been transferred or sold to, or deposited with, a third party; c) has been placed beyond the jurisdiction of the Court; d) has been substantially diminished in value; or e) has been commingled with other property, which

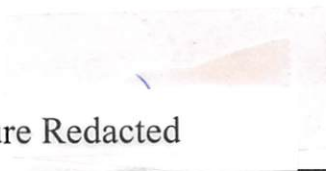
cannot be divided without difficulty, then it is the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice or any bill of particulars supporting it.

All pursuant to Sections 982(a)(2)(B), 1028(b), and 1029(c)(1)(C), Title 18, United States Code.



GREGORY K. DAVIS
United States Attorney

A TRUE BILL:


s/Signature Redacted

Foreperson of the Grand Jury

This indictment was returned in open court by the foreperson or deputy foreperson of the grand jury on this the 7th day of March, 2017.



UNITED STATES MAGISTRATE JUDGE